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**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

NATIONAL URBAN LEAGUE, *et al.*,

Plaintiff,

v.

WILBUR L. ROSS, JR., *et al.*,

Defendants.

Case No. 5:20-cv-05799-LHK

**DECLARATION OF  
ALBERT E. FONTENOT, JR.**

1 I, Albert E. Fontenot, Jr., make the following Declaration pursuant to 28 U.S.C. § 1746,  
2 and state that under penalty of perjury the following is true and correct to the best of my  
3 knowledge and belief:

4 1. I am the Associate Director for Decennial Census Programs at the U.S. Census  
5 Bureau. This supplements my declaration in this case and addresses this Court's order that the  
6 Census Bureau state "whether Defendants' production to the General Accounting Office is  
7 identical to or different from Defendants' production to the Office of the Inspector General," and  
8 that "If the productions are different, Defendants shall identify the general differences".

9 2. The Census Bureau takes its obligations to comply with oversight requirements  
10 seriously, and submits many documents to both the OIG and the GAO on a regular basis. Both  
11 agencies have independent access to reports in certain Census Bureau systems and both receive a  
12 massive amount of documents from us on a regular basis. In fact, we produce so many documents  
13 information to these agencies that we have specific staff who do nothing but coordinate  
14 information production for OIG and GAO.

15 3. While there is some overlap in the information that the GAO and OIG request from  
16 the Census Bureau, these agencies conduct separate audits of Census Bureau operations, and their  
17 document requests are generally relevant to the specific audits each is conducting. For example,  
18 GAO is currently auditing topics including agencies' readiness for telework in light of COVID-  
19 19, the performance of the Census Bureau IT systems, and the results of our peak operations. OIG  
20 is currently auditing topics including our field award structure, operations in Remote Alaska, and  
21 our background investigation process.

22 4. We do not conduct email searches as part of the audit response process for GAO  
23 and OIG, rather we discuss documents with their auditors during staff interviews and identify  
24 specific documents they would like us to provide to them. The documents are generally reports  
25 on specifications, performance metrics, and results, not emails.

26 5. The OIG documents submitted to this Court are different. These documents were  
27 the result of a search mandated in response to a special request made by the investigative division  
28

1 of the OIG. Those documents were produced separate from our standard processes for producing  
2 information to OIG and GAO audits discussed in paragraphs 3 and 4 above.

3 I have read the foregoing and it is all true and correct.

4 DATED this \_\_\_\_ day of September, 2020

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6 \_\_\_\_\_  
7 Albert E. Fontenot, Jr.  
8 Associate Director for Decennial Census Programs  
9 United States Bureau of the Census  
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